

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DAVID ROBERTS,) Case No.: 1:20-cv-00592-SAB (PC)
Plaintiff,)
v.) ORDER FOR PLAINTIFF TO SHOW CAUSE
STEPHEN HENDERSON, *et al.*,) WHY ACTION SHOULD NOT BE DISMISSED
Defendants.) FOR FAILURE TO COMPLY WITH A COURT
) ORDER, FAILURE TO STATE A COGNIZABLE
) CLAIM, AND FAILURE TO PROSECUTE
) [ECF No. 25]
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Plaintiff David Roberts is proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983.

On June 17, 2020, the Court screened Plaintiff's first complaint, found no cognizable claims, and granted Plaintiff thirty days to file an amended complaint. (ECF No. 15.)

Plaintiff filed a first amended complaint on June 5, 2020. (ECF No. 14.) On June 17, 2020, 2020, the Court screened Plaintiff's first amended complaint and granted Plaintiff leave to file a second amended complaint. (ECF No. 15.)

Plaintiff failed to file a second amended complaint. Therefore, on July 27, 2020, the Court issued an order to show cause why the action should not be dismissed for failure to state a cognizable claim for relief, failure to prosecute, and failure to comply with a court order. (ECF No. 17.) After Plaintiff failed to respond to the order to show cause, the Court issued Findings and Recommendations

1 to dismiss the action on August 11, 2020. (ECF No. 18.) Plaintiff filed objections to the Findings and
2 Recommendations. (ECF Nos. 23, 24.) Therefore, on September 22, 2020, the Court vacated the
3 Findings and Recommendations and granted Plaintiff thirty days to file an amended complaint. (ECF
4 No. 25.) Plaintiff has failed to comply with the Court's order and has not filed an amended complaint.

5 Accordingly, within **fourteen (14)** days from the date of service of this order, Plaintiff shall
6 show cause in writing why the action should not be dismissed. (*Id.*) Plaintiff is warned that failure to
7 comply with this order will result in a recommendation to a District Judge that the instant action be
8 dismissed, with prejudice, for failure to prosecute, failure to obey a court order, and failure to state a
9 cognizable claim for relief.

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11 IT IS SO ORDERED.

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Dated: November 2, 2020



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UNITED STATES MAGISTRATE JUDGE